

Jurors Qualification (Ireland) Bill.

ARRANGEMENT OF CLAUSES.

Cluses.

1. Short title.
2. Qualification of jurors.
3. As to jurors property qualification.
4. Clerk of the peace to prepare "lists of special jurors."
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SCHEDULES.

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B I L L

TO

Amend the Laws relating to the Qualification of Jurors in Ireland. A.D. 1876.

WHEREAS by the Juries (Ireland) Acts, 1871 to 1872, the laws relating to juries in Ireland were amended and consolidated:

And whereas by the Juries (Ireland) Act, 1873, temporary provisions were made altering and raising the qualification of jurors, and the said provisions have by divers Acts from time to time been continued for limited periods:

And whereas it is expedient that other and further provisions should be made to alter and raise the qualification of jurors, and that such provisions should continue in force during the limited period by this Act prescribed:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as "The Jurors Qualification (Ireland) Act, 1876," and the Juries (Ireland) Acts, 1871 to 1872, as amended by this Act, and this Act may be cited together as "the Juries (Ireland) Acts." Short title.

2. The provisions in this section contained shall be in force and have effect with respect to the qualification of jurors from and after the eleventh day of January one thousand eight hundred and seventy-seven, and the said provisions shall be in lieu of and in substitution for the provisions of section five of the Juries Act, Ireland, 1871, and the said Act shall be read and construed as if they were therein substituted for the said section five. Qualification of jurors.

Every man being a subject of the Queen, between the ages of twenty-one and sixty-five years, residing in any county or in any borough having a separate court of sessions of the peace, or a court of record for the trial of civil actions,

[Bill 127.]

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- (1.) Who shall have in his own name or in trust for him a clear income of *ten pounds by the year* in lands and tenements of freehold tenure situate in such county or borough, or in rents issuing out of any such lands or tenements, or in such lands, tenements, and rents taken together, in fee simple, or fee tail, or for any life or lives whatsoever; or
- (2.) Who shall have a clear income of *twenty pounds by the year* in lands or tenements situate in such county or borough, held by lease originally made for an absolute term of not less than twenty-one years, whether the same shall or shall not be determinable on any life or lives; or
- (3.) Who shall be, either in his own name or as a member of a firm or copartnership, rated for the relief of the poor in respect of lands, tenements, or hereditaments within such county or borough, of the net annual value fixed for such county or borough in the first schedule to this Act; or
- (4.) Who shall be the son of a peer or of a baronet, or of a justice of the peace, or an officer in the army or navy and not on actual service;

shall if residing in any such county as aforesaid be qualified and liable (save as exempted or disqualified) to serve on all juries for the trial of all issues, civil and criminal, joined in any of the Queen's courts of law and equity and triable in such county, and shall also be qualified and liable (save as exempted or disqualified) to serve on grand juries at the general sessions of the peace within such county, and on every inquest or inquiry to be taken or made in such county by or before any sheriff or coroner, or by or before any master or commissioner appointed by any of the superior courts of common law or equity, or by or before any commissioner appointed under the great seal or the seal of the Court of Exchequer, and shall if residing in any such borough as aforesaid be qualified and liable (save as exempted or disqualified) to serve on grand juries at sessions of the peace in such borough, and also upon juries for the trial of all issues, civil and criminal, joined in any court of sessions of the peace, and in any court of record for the trial of civil actions, triable in such borough: Provided always, that for the purposes of this Act, as regards any county of a city, county of a town, or borough, having a separate court of sessions of the peace or a court of record for the trial of civil actions, any such person as aforesaid shall be deemed to be resident therein who shall have or occupy a counting-house, office, shop, or place of business in such county of a city, county of a town, or borough as aforesaid, although such person

may not actually reside therein, provided that he resides within *twelve statute miles* of the court house of such county of a city, county of a town, or borough as aforesaid, and in the county of the city of Dublin within a like distance of the General Post Office in Dublin, to be computed by the nearest public road or way. And such counting-house, office, shop, or place of business shall in the proper column of "The General List of Jurors," and "List of Special Jurors," containing such person's name be stated as the place of abode of such person, and a summons for the attendance of a juror left at the place stated in the general jurors' book or special jurors' book as the place of abode of such juror, with any person inhabiting therein, shall be deemed to have been duly served upon such juror.

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3. In ascertaining the net annual value of the property qualification of a juror in the city of Dublin, mentioned in the first and second schedules to this Act, the annual value of any house or tenement, the owner whereof is under the sixty-third section of the Act 12 and 13 Victoria, chapter 91, rated instead of the occupier thereof, shall not be reckoned or taken into account.

As to juror's
property
qualification,
35 & 36 Vict.
c. 25, s. 6.

4. The provisions in this section contained shall *from and after the first day of August one thousand eight hundred and seventy-six*, be in substitution for the provisions of section eleven of the Jurors Act, Ireland, 1871, and the said Act shall be read and construed as if they were therein substituted for the said section eleven.

Clerk of the
peace to
prepare
"lists of
special
jurors."

The clerk of the peace of every county in Ireland, on or before the *fifteenth day of August* in every year, shall, from each of the general lists of jurors furnished to him under the Jurors (Ireland) Acts and the Jurors Procedure (Ireland) Act, 1876, cause to be made out for each barony of such county a true and complete list, in the Form O. set forth in the third schedule to this Act annexed, containing the names of every person contained in the list furnished to him as aforesaid for such barony.

Who shall be, either in his own name or as a member of a firm or copartnership, rated for the relief of the poor in respect of lands, tenements, or hereditaments within such county or borough, of the net annual value fixed for such county or borough in the second schedule to this Act; or

Who shall be the son of a peer or of a baronet, or of a justice of the peace, or an officer in the army or navy and out on actual service.

And the names contained in each of the said lists to be made out by such clerk of the peace shall be arranged in alphabetical order

- A.D. 1876. of surnames and consecutively numbered, and each such list shall contain the like particulars in every respect as the lists furnished to him as aforesaid, and when so made out shall be called the "list of special jurors" for the barony of the county for which the same shall have been made out, and such clerk of the peace shall, 5 at the foot or end of every such "list of special jurors" made out by him, sign a declaration that such "list of special jurors" has been fully and correctly prepared by him from the "general list of jurors" from which such "list of special jurors" shall have been made out by him. 10
- Form of precept. 5. The precepts of the several clerks of the peace for the return of lists of jurors to be issued under the Juries (Ireland) Acts and the Juries Procedure (Ireland) Act, 1876, after the passing of this Act shall be according to the forms in the third schedule to this Act annexed, and any person to whom any such precept shall 15 be issued shall and is hereby directed to perform and comply with all the requisitions contained in such precept.
- Duration of Act. 6. This Act shall continue in operation until the eleventh day of January one thousand eight hundred and eighty.

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SCHEDULES.

FIRST SCHEDULE.

The net annual value of the rating qualification of jurors shall be as follows :

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CLASS I.

In the counties of—

- Antrim.
 Carlow.
 Cork.
 10 Down.
 Dublin.
 Galway.
 Kildare.
 Kilkenny.
 15 King's County.
 Limerick.
 Leath.
 Meath.
 20 Tipperary.
 Waterford.
 Westmeath.
 Wexford.
 Wicklow.

A net annual value of 50*l.* or upwards in respect of lands, tenements, or hereditaments within any of the said counties, or a net annual value of 10*l.* or upwards in respect of a dwelling-house, office, and outillage appearing on the rate book of any union to be situate within any of the said counties.

CLASS II.

25 In the counties of—

- Armagh.
 Clare.
 Donegal.
 Fermanagh.
 30 Kerry.
 Londonderry.
 Longford.
 Monaghan.
 35 Queen's County.
 Roscommon.
 Sligo.
 Tyrone.

A net annual value of 50*l.* or upwards in respect of lands, tenements, or hereditaments within any of the said counties, or a net annual value of 10*l.* in respect of a dwelling-house, office, and outillage, appearing on the rate book of any union to be situate within any of the said counties.

CLASS III.

40 In the counties of—

- Cavan.
 Leitrim.
 Mayo.

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A net annual value of 50*l.* or upwards in respect of lands, tenements, or hereditaments within the said county, or a net annual value of 6*l.* or upwards in respect of a dwelling-house, office, and outillage appearing on the rate book of any union to be situate within any of the said counties.

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A.D. 1875.

CLASS IV.	
In the counties of the cities of— Dublin, Cork, Limerick, and Waterford.	A net annual value of 20 <i>l.</i> or upwards in respect of lands, tenements, or hereditaments within any of the said counties. 5
CLASS V.	
In the county of— The city of Kilkenny, The town of Carrickfergus, The towns of Drogheda, and The town of Galway.	A net annual value of 15 <i>l.</i> or upwards in respect of lands, tenements, or hereditaments within any of the said counties. 10
CLASS VI.	
In any borough (other than those specified above) having a separate court of sessions of the peace or a court of record for the trial of civil actions.	A net annual value of 20 <i>l.</i> or upwards in respect of lands, tenements, or hereditaments within any such borough. 15

SECOND SCHEDULE

The net annual value of the rating qualification of special jurors shall be as follows:

CLASS I.	
In the counties of— Antrim. Dublin.	A net annual value of 150 <i>l.</i> or upwards in respect of lands, tenements, or hereditaments within any of the said counties, or a net annual value of 50 <i>l.</i> or upwards in respect of lands, tenements, or hereditaments appearing on the rate book of any union to be situate in any city, town, or village within any of the said counties. 20
CLASS II.	
In the counties of— Cork. Down. Kildare. Limerick. Monagh. Tipperary.	A net annual value of 100 <i>l.</i> or upwards in respect of lands, tenements, or hereditaments within any of the said counties, or a net annual value of 50 <i>l.</i> or upwards in respect of lands, tenements, or hereditaments appearing on the rate book of any union to be situate in any city, town, or village within any of the said counties. 25
CLASS III.	
In the county of— Wexmouth.	A net annual value of 100 <i>l.</i> or upwards in respect of lands, tenements, or hereditaments in the said county. 30

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CLASS IV.

In the counties of—

- 5 Armagh.
 Carlow.
 Clare.
 Galway.
 Kilkenny.
 King's County.
 Londonerry.
 Queen's County.
 Roscommon.
 Waterford.
 Wexford.
 Wicklow.

A net annual value of 100*l.* or upwards in respect of lands, tenements, or hereditaments within any of the said counties, or a net annual value of 50*l.* or upwards in respect of lands, tenements, or hereditaments appearing on the rate book of any union to be situate in any city, town, or village within any of the said counties.

CLASS V.

In the counties of—

- 15 Cavan.
 Downgal.
 Fermanagh.
 Kerry.
 Longford.
 Louth.
 Mayo.
 Monaghan.
 Sligo.
 Tynece.

A net annual value of 50*l.* or upwards in respect of lands, tenements, or hereditaments within any of the said counties, or a net annual value of 50*l.* or upwards in respect of lands, tenements, or hereditaments appearing on the rate book of any union to be situate in any city, town, or village within any of the said counties.

CLASS VI.

In the county of—

- 30 Leitrim.

A net annual value of 50*l.* and upwards in respect of lands, tenements, or hereditaments within the said county, or a net annual value of 50*l.* or upwards in respect of lands, tenements, or hereditaments appearing on the rate book of any union to be situate in any city, town, or village within the said county.

CLASS VII.

In the counties of—

- 40 The City of Cork.
 The City of Dublin.

A net annual value of 50*l.* and upwards in respect of lands, tenements, or hereditaments within any of the said counties.

CLASS VIII.

In the county of the city of Limerick.

- 45 A net annual value of 50*l.* or upwards in respect of lands, tenements, or hereditaments within any of the said counties.

CLASS IX.

In the counties of—

- 50 The city of Waterford.
 The city of Kilkenny.
 The town of Carrickfergus.
 The town of Drogheda, and
 The town of Galway.

A net annual value of 50*l.* or upwards in respect of lands, tenements, or hereditaments within any of the said counties.

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THIRD SCHEDULE.

FORM

PRECEPT for the RETURN of LISTS of JURORS.

(1) *County of the city or town, or borough, as the case may be.*

County of (2)

To the Clerk of the Poor Law Union of

in the 5

said county of (3)

You are hereby required, on or before the first day of August in this present year, to prepare a complete and true list in writing, according to the form sent herewith, for each (barony, (2) *division of a barony, or other district*) of the said county (1) within the said union, of the names of all men who are qualified under the Jurors (Ireland) Acts, to serve as jurors for the said county of (2)

that is to say, a complete and true list for each (barony, (2) *division of a barony, or other district*) of the said county, (2) containing the name of every man who resides within the said county, (2) (or who has or uses for the purposes of any trade or business, any counting-house, office, shop, store, or place of business within the said county

(2) *County of the city, county of a town, or borough, as the case may be.*

of the city (1) of, although such men may not reside therein, provided that he reside within twelve statute miles therefrom,) and has in his own name or in trust for him a clear income of 10*l* by the year in lands and tenements of freehold tenure, situate in each (barony, (2) *division of a*

(2) *County of the city, county of a town, or borough, as the case may be.*

barony, or other district) of the said county, (1) or in

(2) *County of the city, county of a town, or borough, as the case may be.*

rents issuing out of any such lands or tenements, or in such lands, tenements, and rents taken together, in fee simple, or fee tail, or for any life or lives whatsoever, or has a clear income of twenty pounds by the year in lands or tenements situate in each (barony, (2) *division of a* barony, or other district) of the said county, (2) held by lease originally made for an absolute term of not less than twenty-one years, whether the same shall or shall not be determinable on any life or lives; or is either in his own name or as a member of a firm or co-partnership rated in the last rate made in the said union, for the relief of the poor in respect of any lands, tenements, or hereditaments situate within such (barony, (2) *division of a barony, or other district*) in the said county (2) of the net annual value

(2) *County of the city, county of a town, or borough, as the case may be.*

(2) *County of the city, county of a town, or borough, as the case may be.*

(2) *County of the city, county of a town, or borough, as the case may be.*

(2) *County of the city, county of a town, or borough, as the case may be.*

(2) *County of the city, county of a town, or borough, as the case may be.*

(2) *County of the city, county of a town, or borough, as the case may be.*

(2) *County of the city, county of a town, or borough, as the case may be.*

(2) *County of the city, county of a town, or borough, as the case may be.*

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of * pounds or upwards, or is the son of a poor or of a harnet, or of a justice of the peace, or an officer in the army or navy and not on actual service; and you are required to prepare the said list in alphabetical order of surnames, as the same would be arranged in a dictionary, and where persons have the same surnames in the alphabetical order of their Christian names, and consecutively numbered, and write the Christian name and surname of every man at full length, with his true or last known place of abode (stating(a) the counting-house, office, shop, or place of business of any person who is deemed under section two of the Jurors Qualification Act (Ireland) 1876, to be resident in respect thereof as the place of abode of such person), the nature of his qualification, his title, quality, calling, or business, the place and amount of his freehold or leasehold property (in case he be qualified in respect of such property), and the place and annual value of his rated property, (in case he be qualified in respect of rated property) in the proper columns of the forms sent herewith, and if you have not a sufficient number of forms you must apply to me for more; and in preparing the said list you are, in case any person returned in the said list shall be under the age of 21 years or over the age of 65 years, or otherwise disqualified or exempted from serving on juries, to state the fact of such person being under the age of 21 years or over the age of 65 years, or the grounds of such disqualification or exemption, opposite his name in the proper columns of the said form, and a specification of persons so disqualified and so exempted is set forth in the schedule annexed hereto; and you are required, on or before the first day of August in the present year, to deliver the said list, with the declarations at the foot or end of the said list in the said form set forth, signed respectively by you and the poor rate collector or collectors by whose assistance you may have prepared the said list, to the clerk of the peace of the said county, (b) and you are hereby required, within twenty-one days after the delivery of the said list to the said clerk of the peace, to cause a sufficient number of copies of the said list to be printed, published, and posted within the barony, (c) division of a barony, or other district, for which the said list shall have been prepared, and you are further required to attend the chairman or revising barrister of the said county, (d) and produce the rate books of the said union at any of the courts to be held for the revision of the said list, of the

* Insert here the amount of the net annual value fixed for the said county, county of a city, assembly of a town, or borough as the proper qualification of jurors in the First Schedule to this Act

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time and place of holding which you shall be previously informed, and there to answer on oath such questions as shall be put to you by such chairman or revising barrister then present touching the said list, and those several matters you are in nowise to omit upon the peril that may ensue. 5

Given under my hand at _____, in the said
county of () , this _____ day of _____,
in the year _____

Clerk of the Peace for the
said county of ()

10

*(County of the city of,
or county of the town of,
or borough of, or the name
may be.)*

SCHEDULE.

SPECIFICATION OF PERSONS DISQUALIFIED AND EXEMPTED FROM SERVING ON JURIES.

Persons Disqualified.

Aliens, or men who have been attainted or convicted of any treason, felony, or 15
perjury, or of any crime that is infamous, unless having obtained a free pardon,
or who are under outlawry by virtue of any criminal process.

Persons Exempted.

Peers.

Members of Parliament.

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Clergymen in Holy Orders and other persons who shall teach or preach in
any religious congregation, and who do not follow any secular occupation
except that of schoolmaster.

Persons holding any paid, judicial, or other office belonging to any court of
justice in Ireland. 25

Persons of the following professions actually practising:—

Barristers-at-law.

Attorneys and solicitors.

Licensed medical practitioners

Apothecaries duly certified.

Civil engineers.

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Public notaries and actuaries entitled to grant stateable certificates.

Professors, schoolmasters, or teachers, in any college, academy, or
or school.

Persons holding any public office under Her Majesty's Government, or any 35
public department, or under any local authority, and paid from taxes, general
or local.

Persons licensed to sell intoxicating liquors by retail to be consumed on the
premises.

Masters of vessels and duly licensed pilots.

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Persons who cannot read and write the English language, or who from
lunacy, imbecility of mind, deafness, blindness, or other permanent infirmity
are unfit to serve as jurors.

And persons heretofore exempted by virtue of any prescription, charter,
grant, writ, or local Act of Parliament. 45

A.D. 1876.

PRECEPT FOR THE RETURN OF LISTS OF JURORS.

County of the City of Dublin

To the Collector General of Rates for the City of Dublin.

You are hereby required on or before the first day of August in this present year to prepare a complete and true list in writing, according to the form sent 5 herewith, for each ward in the said county of the city of Dublin, of the names of all men who are qualified to serve as jurors for the said county of the city of Dublin, that is to say, a complete and true list for each ward in the said county of the city of Dublin, containing the name of every man between the 10 ages of twenty-one and sixty-five years who resides within the said county of the city of Dublin, and who has in his own name or in trust for him a clear income of ten pounds by the year in lands and tenements of freehold tenure situate in the said county of the city, or in rents issuing out of any such lands or tenements, or in such lands, tenements, and rents taken together, in fee simple or fee tail, or for any life or lives whatsoever; or has a clear income of 15 twenty pounds by the year in lands or tenements situate in the said county of the city of Dublin, held by lease originally made for an absolute term of not less than twenty-one years, whether the same shall or shall not be determinable on any life or lives; or who has or occupies any counting-house, office, shop, or place of business within the said county of the city of Dublin, 20 although such man may not reside therein, provided that he resides within twelve statute miles therefrom, who is either in his own name or as a member of a firm or co-partnership rated in the last rate made for the relief of the poor in the said county of the city of Dublin in respect of any lands, tenements, or hereditaments situate in such ward of the county of the city of Dublin of 25 the net annual value of twenty pounds or upwards; or is the son of a peer or of a baronet, or of a justice of the peace, or an officer in the army or navy and not on actual service; and you are required to prepare the said list in alphabetical order of surnames, as the same would be arranged in a dictionary, and where persons have the same surname in the alphabetical order of their 30 Christian names, and consecutively numbered, and write the Christian name and surname of every man at full length, with his true or last known place of abode (stating the counting-house, office, shop, or place of business of any person who is deemed under section two of the Jurors Qualification (Ireland) Act, 1876, to be resident in respect thereof as the place of abode of such person) 35 the nature of his qualification, his title, quality, calling, or business, the place and amount of his freehold or leasehold property (in case he be qualified in respect of such property), and the place and annual value of his rated property (in case he be qualified in respect of rated property) in the proper columns of the forms sent herewith, and if you have not a sufficient number of forms you must apply 40 to me for more; and in ascertaining the said net annual value you shall not reckon or take into account the annual value of any house or tenement let to weekly or monthly tenants or in separate apartments, the owner whereof is under the statute 12 and 13 Victoria chapter 91, section 63, rated instead of the occupier thereof; and in preparing the said list you are, in case any person 45

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Attorneys and solicitors
 Licensed medical practitioners
 Apothecaries duly certified.
 Civil engineers.
 Public notaries and actuaries entitled to grant statutable certificates 5
 Professors, schoolmasters, or teachers, in any college, academy, or school

Persons holding any public office under Her Majesty's Government, or any public department, or under any local authority, and paid from taxes, general or local.

Persons licensed to sell intoxicating liquors by retail to be consumed on the premises. 10

Masters of vessels and duly licensed pilots.

Persons who cannot read and write the English language, or who from lunacy, imbecility of mind, deafness, blindness, or other permanent infirmity 15 are unfit to serve as jurors.

And persons heretofore exempted by virtue of any prescription, charter, grant, writ, or local Act of Parliament

GENERAL LIST OF JURORS.

COUNTY OF THE CITY OF DUBLIN.

20

"GENERAL LIST OF JURORS" for the ward in the said
 county of the city of Dublin, prepared this day of
 18 by the Collector-General of Rates for the city
 of Dublin

Number of Years or over 21 Years of Age, also the Rank or if exempted or disqualified, the Grounds of such Exemption or Dis- qualification	Residence in Alphabetical Order	Christian Name	Place of Abode	Ward in which Place of Abode is situated	Nature of Qualifica- tion	Title, Quality, Calling, or Business	Amount of Rents, or Household Property	Annual Value of Land Property	Place of Property

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We, the undersigned collectors, hereby declare that, so far as relates to each of our respective districts of collection, we have made due and diligent inquiry for the purpose of assisting the Collector-General of Rates for the city of Dublin in having the above list properly prepared, and we further declare that whenever any person named in said list is under 21 or over 65 years of age, 35 or disqualified or exempted from serving as a juror, the fact of his being under or over age, or the grounds of such disqualification or exemption are truly stated in the proper column of said list, and that the true or last known place of abode, nature of the qualification, title, quality, calling, or business, place and amount or annual value of property of each of the persons named in the above 40

Jurors Qualification
(Ireland).

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B I L L

To amend the Laws relating to the
Qualification of Jurors in Ireland.

(Prepared and brought in by
Sir Michael Hicks-Beach, and Mr. Stansfeld
Guarant for Ireland)

Ordered, by The House of Commons, to be Printed,
7 April 1876.

[Bill 187.]

Under 3. 6s.